

Section 1. That Article 3107 of Chapter 13 of the Revised Civil Statutes of Texas, be and the same is hereby repealed and a new article is hereby enacted so as to hereafter read as follows:

"Article 3107. Every political party in this State shall have the power to prescribe the qualifications of its own members and shall in its own way determine who shall be qualified to vote or otherwise participate in such political party."

Sec. 2. The fact that the Supreme Court of the United States has just held Article 3107 invalid, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 483, A bill to be entitled "An Act to create Road District No. 7 in Shelby County, Texas, validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating the authorization issuance and sale of certain bonds thereof, dated February 9, 1920, and numbered forty-six to one hundred (46 to 100), inclusive, totalling twenty-seven thousand five hundred dollars (\$27,500), of five hundred dollars each providing for their payment by the annual levy and assessment of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners' court of said county in respect of said designated road district bonds, but none others and taxes, or certified copies thereof and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

THIRTY-NINTH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 11, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Bowers.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. C. R. No. 32.	S. B. No. 311.
S. B. No. 461.	S. C. R. No. 28.
S. B. No. 447.	H. B. No. 398.
H. J. R. No. 20.	H. B. No. 300.
S. B. No. 25.	H. B. No. 569.
S. B. No. 222.	

S. C. R. No. 23.

Senator Love called up the following resolution:

Endorsing the stand of the United States Senate in advocating arbitration by the United States of its dispute with the Republic of Mexico, and endorsing the Robinson Resolu-

tion introduced in the United States Senate on said subject.

The resolution was read.

Senator Wirtz moved to indefinitely postpone the resolution.

The motion prevailed by the following vote:

Yeas—13.

Bailey.	Real.
Bowers.	Russek.
Holbrook.	Smith.
Lewis.	Triplett.
Miller.	Ward.
Moore.	Wirtz.
Parr.	

Nays—10.

Berkeley.	Pollard.
Fairchild.	Reid.
Love.	Westbrook.
McFarlane.	Wood.
Neal.	Woodward.

Absent.

Bledsoe.	Hardin.
Floyd.	Price.
Greer.	Stuart.
Hall.	Witt.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages.

Hall of the House of Representatives,
Austin, Texas, March 10, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House complies with Senate Simple Resolution No. 85 and returns H. J. R. No. 14 to the Senate for further consideration.

House concurs in Senate Amendments to H. J. R. No. 14.

House adopts report of Free Conference Committee on S. B. No. 25, by a vote of 113 yeas and 8 nays.

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 492, A bill to be entitled "An Act amending Articles 2237, 2239 and 2243 of Chapter 11 of the

Revised Civil Statutes of the State of Texas of 1925, prescribing the rules for the preparation and filing of bills of exception and statement of facts, by adding a new subdivision to Article 2237, providing that under certain conditions bills of exception shall not be necessary, and by amending Article 2239 so as to provide that it shall not be necessary to prepare a statement of facts in the narrative form; by amending Article 2234, providing that it shall not be necessary for a statement of facts to be reduced to narrative form."

H. B. No. 615, A bill to be entitled "An Act amending Article 2839, Revised Statutes of 1925, Section 1, Chapter 176, Acts of the Thirty-ninth Legislature, providing for permanent text book commission for the State of Texas; providing for membership of said board and for their method of appointment; providing for prescribed qualifications of its members; providing for their term of office; providing for the amendment of Article 2840, Section 2, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the filing of affidavits of qualification for said members; providing for the amendment of Article 2842, Revised Statutes of 1925, Section 4, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the continuing and discontinuing of text books; providing for the amendment of Article 2846, Revised Statutes of 1925, Section 8, Chapter 176, Acts of the Thirty-ninth Legislature; providing for notices of meetings of said board to be given; providing for the deposit of samples of each books on which bids may be submitted; providing for bids and cash deposits for all publishers making such bids; providing for amendment of Article 2847, Revised Statutes of 1925, Section 9, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the filing of bids therefor f. o. b. at Texas bidders' depository; providing for the filing of affidavits by each bidder; providing for amendment of Article 2849, Section 11, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the submitting of bids in two forms with or without exchange privileges; providing for the amendment of Article 2852, Revised Statutes of 1925, Section 14, Chapter 176, Acts of the

Thirty-ninth Legislature, providing for books to be bought at reduced prices; providing for the exclusive use of State adopted text books in the public free schools of the State of Texas for a period not to exceed six years; providing for the amendment of Article 2871, Revised Statutes of 1925, Section 35, Chapter 176, Acts of the Thirty-ninth Legislature, providing for depositories in the State of Texas."

Respectfully submitted,
M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 447, A bill to be entitled "An Act to create a court to be known as the County Court of Cameron County at Law; to define the jurisdiction of said court, to fix the terms thereof; to provide the clerk to be appointed by the county clerk of Cameron County, to fix the qualification, bond and salary of the judge and clerk thereof, etc., and declaring an emergency."

S. B. No. 461, A bill to be entitled "An Act to amend Section 8 of House Bill Number 598 passed at the Regular Session of the Thirty-sixth Legislature, and known as Chapter 91 of the Special Laws passed by said Thirty-sixth Legislature, and found at pages 305 to 314, both inclusive, of the Special Laws passed by the Thirty-sixth Legislature of the State of Texas, in 1919, at its regular session, and by adding Section 8-a and Section 8-B to said chapter; relating to the appointment by the Board of Trustees of Bay City Independent School District of a tax assessor and collector; the compensation to be paid such assessor and collector; prescribing the powers and authority of such assessor and collector; prescribing the method of assessing and collecting taxes in said Bay City Independent School District; providing that all laws now in force or that may hereafter be enacted in reference to taxation and taxes, for State, county or school purposes shall be applicable to said school district; providing for valuations; providing that the Board of

Trustees of said school district may employ an attorney to enforce collection of taxes and prescribing the compensation that may be paid such attorney; defining certain words; and declaring an emergency."

Respectfully submitted,
M. LOUISE SNOW,
Chief Clerk, House of Representatives.
Hall of the House of Representatives,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolutions:

S. C. R. No. 28, accepting World War trophies.

S. C. R. No. 32, inviting Herbert Hoover to be the guest of the East Texas Chamber of Commerce.

Respectfully submitted,
M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 550, A bill to be entitled "An Act to establish a more efficient system of public roads for Live Oak County, and to empower the commissioners' court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; providing that the County Commissioners of Live Oak County shall each be ex-officio superintendents of their respective commissioners precincts; to create Road District No. 8 in Live Oak County; validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating the authorization, issuance and sale of certain road bonds thereof and authorizing the commissioners' court to issue and sell any of said bonds remaining unissued and unsold, and providing for their payment by the annual levy, assessment and collection of a general ad valorem tax on all taxable property in said road district; approving and validating all orders of the commissioners' court of said county in respect of said district bonds and taxes, or certified copies

thereof, and constituting such orders legal evidence, and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act to validate the grants of land made by the Crown of Spain to Juan Antonio Vidaurri, his heirs and assigns, or Porciones 39 and 40, lying and being situated in Zapata County, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns, to said porciones, and declaring an emergency."

H. B. No. 491, A bill to be entitled "An Act authorizing county boards of school trustees to make provisions for the prompt payment of teachers salaries by authorizing county depository banks to charge interest on vouchers from the date of issuance until their liquidation; authorizing the county boards to require depository banks to make financial reports as to resources and needs of school districts; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 484, A bill to be entitled "An Act to amend Title 67, Chapter 3 of the Revised Civil Statutes of 1925, and to provide that any county, city or town authorized by Title 118 of the Revised Civil Statutes of 1925 to construct, extend, protect, strengthen, maintain, keep in repair, and otherwise improve any seawall or breakwater, levee, dike, floodway; etc.

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendment to H. B. No. 59 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Satterwhite, Teer, Conway, Montgomery and Hogg.

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 282, A bill to be entitled "A Special Act applying to Dallas County only, providing for the maintenance and operation of a city-county hospital system for the City of Dallas and Dallas County, and for the appointment of a governing board, terms of office of the governing board, for the levying and collection of taxes, for the disbursement of funds, and for the government and operation for a complete general city-county hospital system, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 346, A bill to be entitled "An Act giving permission to J. T. Adair to sue the State of Texas on a certain claim for damages for personal injuries; providing for service of citation in such suit; appropriating sufficient money from the State Treasury to pay such judgment as may be recovered by the said J. T. Adair."

H. B. No. 641, A bill to be entitled "An Act providing for the protection of deer in Houston County for a period of five years, and prohibiting the killing thereof within said period; prohibiting the hunting for deer with dogs thereafter; defining offenses; prescribing a penalty, and declaring an emergency."

H. B. No. 647, A bill to be entitled "An Act to amend Article 199, Revised Civil Statutes of 1925, so as to reform the time of holding the court in the Sixty-fourth Judicial District of the State of Texas."

H. B. No. 649, A bill to be entitled "An Act creating, defining and establishing Road District No. 5 in Briscoe County, Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid

thereof; providing that said district shall be authorized to issue bonds or otherwise lend its credit for said purposes to an amount not to exceed one-fourth of the assessed valuation of real property situated therein, and levy, assess and collect general ad valorem taxes in payment thereof; providing that said district shall be governed in the issuance of bonds, lending its credit, constructing, maintaining and operating its roads, and all other matters, incident thereto by the provisions of the General Law, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 401, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have 5000 or more inhabitants, in case of commutation of land for paying out, establishing or enlarging parks, parkways or pleasure grounds to provide that the cost of such land should be paid for, wholly or in part, by the property owners owning property in the vicinity thereof and benefited thereby, and to fix liens against said property benefited to the extent same is specially benefited, and providing how said benefits may be assessed and collected, and providing how such assessment may be made to mature."

S. B. No. 482, A bill to be entitled "An Act to make an appropriation of the sum of twenty-five thousand dollars, or so much thereof as may be necessary payable out of the general revenue of the State of Texas, not otherwise appropriated to supplement an appropriation heretofore made to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Fortieth Legislature of the State of Texas, and to pay the contingent expenses of the Regular Session of the Fortieth Legislature of the State of Texas, and

providing for the approval of ac-county, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

House Bill No. 370.

The Chair laid before the Senate, as pending business, H. B. No. 370. The bill was laid on the table subject to call.

Senate Bill No. 242.

Senator Wood moved that the Senate concur in the House amendments of S. B. No. 242.

The amendments were ordered printed in the Journal, as follows:

By Purl:

Amend S. B. No. 242, Section 3, by striking out the words "and industries," wherever the same appear in said section.

Amend S. B. No. 242 by striking out Section 5 and in lieu thereof substitute the following:

"Sec. 5. In addition to the duty of approving classifications and rates, the Commissioner shall prescribe policy form for each kind of insurance uniform in all respects except as necessitated by the different plans on which the various kinds of insurers operate, and no insurer shall thereafter use any other form in writing automobile insurance in this State; provided, however, that any insurer may use any form of endorsement appropriate to its plan of operation, provided such endorsement shall be first submitted to and approved by the Commissioner; and any contract or agreement not written into the application and policy shall be void and of no effect and in violation of the provisions of this Act, and shall be sufficient cause for revocation of license of such insurer to write automobile insurance within this State."

Amend S. B. No. 242 by striking out Section 6 and in lieu thereof substitute the following:

"Sec. 6. Nothing in this Act shall be construed to prohibit the operation hereunder of any stock company, mutual company, reciprocal or inter-insurance exchange or Lloyds Association or to prohibit any stock company, mutual company, reciprocal or inter-insurance exchange or Lloyds Association issuing participating policies; provided no distribution of profits or dividends to insured shall take effect or be paid un-

til the same shall have been approved by the Commissioner; and provided further that no such distribution shall be approved until adequate reserves shall have been provided, such reserves to be computed on the same basis for all classes of insurers operating under this Act."

Amend S. B. No. 242 by striking out Section 7 and in lieu thereof substitute the following:

"Sec. 7. It shall be unlawful for any insurer, as defined in this Act, or its officers, directors, general agent, State agents, special agents, local agents or other representatives, to grant to or contract with insured for any special favor or advantage in dividends or other profits, or any commissions or divisions of commissions or profits to accrue thereon, or any valuable consideration not specified in the policy contract, or any inducement not specified in the policy contract, for the purpose of writing the insurance of any insured. Nothing in this section, however, shall be construed to prohibit an insurer from sharing its profits after the same have been earned with its policyholders under and in accordance with an agreement as to such profit sharing contained in its policy contract. Any profit sharing under any policy with insured shall be uniform as between such insured, and shall consist only and solely of an equitable distribution under and in accordance with the terms of the policy of earnings between such insured, and no such insurer shall discriminate in any distribution of profits between insured of a class, and no classes for such distribution shall be made or established except on the approval of the Commissioner. No part of any profit shall be distributed to any insured under any such policy until the expiration of the policy contract. Any violation of the terms of this section shall constitute unjust discrimination and shall constitute rebating, and shall be sufficient grounds for the revocation of the permit of the insurer or of the license of the agent being guilty of such unjust discrimination and rebating."

Amend S. B. No. 242 by striking out Section 8 and in lieu thereof substitute the following:

"Sec. 8. No insurer coming within the terms of this Act shall, in its

business in this State, make or permit any distinction or discrimination in favor of the insured having a like hazard, in the matter of the charge of premiums for insurance, or in dividends or other benefits payable under any policy, nor shall any such insurer or agent make any contract of insurance, or agreement as to such insurance, other than expressed in the policy, nor shall any such insurer or its agents or representatives pay, allow or give, or offer to pay, allow or give, directly or indirectly as an inducement to insured, any rebate payable upon the policy or any special favor or advantage in dividends or other benefits to accrue, or anything of value whatsoever, not specified in the policy; provided that nothing in this Act shall be construed to prohibit the modification of rates by an experience rating plan designed to encourage the prevention of accidents and to take account of the peculiar hazards of individual risks, provided such plan shall have been approved by the Commissioner; and provided further that only one such plan shall be approved for each form of insurance hereunder."

Amend S. B. No. 242 by striking out Section 10 and in lieu thereof substitute the following:

"Sec. 10. Any policyholder or insurer shall have the right to a hearing before the Commissioner on any grievance occasioned by the approval or disapproval by the Commissioner of any classification, rate or endorsement or policy form, or any rule or regulation established under the terms hereof, such hearing to be held in conformity with rules prescribed by the Commissioner. Upon receipt of request that such hearing is desired, the Commissioner shall forthwith set a date for the hearing, at the same time notifying all interested parties in writing of the place and date thereof, which date, unless otherwise agreed to by the parties at interest, shall not be less than ten nor more than thirty days after the date of said notice. Any party aggrieved shall have the right to apply to any court of competent jurisdiction to obtain redress. No hearing shall suspend the operation of any classification, rate or policy form unless the Commissioner shall so order."

By Mr. Wallace:

Amendment No. 1.

Amend S. B. No. 242, printed bill, Section 14, line 8, by striking out the word "such" and by inserting in lieu thereof the following: "automobile."

Amendment No. 2.

Amend S. B. No. 242, printed bill, page 2, Section 3, line 10, by striking out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 3.

Amend S. B. No. 242, printed bill, Section 1, page 1, by striking out all after the word "State" on line 35, down to and including the word "approval" on line 38.

Amendment No. 4.

Amend S. B. No. 242 by striking out all above the enacting clause and insert in lieu thereof a new caption, as follows:

S. B. No. 242, A bill to be entitled "An Act to authorize the Commissioner of Insurance of the State of Texas to fix the rate of automobile insurance, providing a penalty for violation of the provisions thereof, and declaring an emergency."

Senate Joint Resolution No. 25.

The Chair laid before the Senate, on third reading, the following resolution:

S. J. R. No. 25, A joint resolution "Proposing an amendment to the State Constitution so as to authorize the submission to the people of constitutional amendments at Special Sessions of the Legislature."

Senator Moore sent up the following amendments:

Amend S. J. R. No. 25 by striking out the caption and inserting in lieu thereof the following:

S. J. R. No. 25, A joint resolution "Proposing an amendment to the State Constitution so as to authorize the submission to the people of constitutional amendments at Special Sessions of the Legislature when submitted to the Legislature at such sessions by the Governor."

Amend S. J. R. No. 25 by striking out lines 14 and 15 thereof, page 1, and inserting in lieu thereof the following:

"Article XVII. The Legislature, at any biennial session, and when the

same is submitted by the Governor at any Special Session, by a vote of two-thirds of all the members elected to each"

Amend S. J. R. No. 25 by striking out in line 8, page 2, the following words: "as well as at biennial sessions thereof" and inserting in lieu thereof the following words: "when the same are submitted to the Legislature at such sessions by the Governor;"

Amend S. J. R. No. 25 by striking out of lines 13 and 14, page 2, the following words: "as well as at biennial sessions thereof" and inserting in lieu thereof the following words: "when the same are submitted to the Legislature at such sessions by the Governor;"

The amendments were read and adopted by unanimous consent.

The resolution was passed finally, by the following vote:

Yeas—21.

Berkeley.	Parr.
Bledsoe.	Price.
Bowers.	Real.
Hall.	Reid.
Hardin.	Russek.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Nays—3.

Bailey.	Holbrook.
Floyd.	

Absent.

Fairchild.	Stuart.
Greer.	Westbrook.
Pollard.	Witt.
Smith.	

Senate Bill No. 453.

Senator Woodward received unanimous consent to take up the following bill:

S. B. No. 453, A bill to be entitled "An Act providing for preservation and protection of the public free school fund and of the university fund and of the asylum fund, and for recovery by the State of Texas of any and all lands rightfully belonging to the State of Texas or to any of said funds but which are now or may be held in possession of or claimed adversely to the State of Texas or to the fund to which such land belongs, and for recovery and

collection of damages and of compensation resulting from or for any illegal taking or removal or cutting or use or destruction or injury or sale or appropriation of any and all minerals or timber or property of any kind out of or from or upon such land; providing that such recoveries and such collections shall be made by the Attorney General by suit or action in court, or otherwise, as he shall deem advisable and expedient in the particular instance, including compromises and settlements, any such compromise and settlement in any such suit or action to be by and with the approval of the court wherein such suit or action then may be pending, and that any such compromise settlement involving such land, whether made during pendency of such suit or otherwise, may include acquisition thereby, by such adverse holders or claimants of such land, or any of them, of mineral privileges, rights and leases in and on such land, or any portion or portions thereof, of such kinds as may be obtainable, otherwise, under then existing laws; imposing and conferring upon the Attorney General and the Commissioner of the General Land Office certain duties and powers, and imposing upon county attorneys certain duties and providing for their compensation, in the premises; providing that all applicable provisions of this Act shall extend and apply to any and all lands and to any and all claims for damages and to any and all claims for compensation that are or may be involved in any now pending suit or action wherein the State of Texas is a party litigant and is or shall be represented by the Attorney General; fixing venue of such suits and actions which may be filed or instituted by the Attorney General; repealing Article 5421 of the Revised Civil Statutes of the State of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 453 was put on its third reading and final passage, by the following vote:

Yeas—23.

Bailey.	Bowers.
Berkeley.	Fairchild.
Bledsoe.	Hall.

Hardin.	Price.
Holbrook.	Real.
Lewis.	Russek.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Witt.
Neal.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Floyd.	Smith.
Greer.	Stuart.
Moore.	Triplett.
Reid.	Wirtz.

The bill was read third time.
The roll call developed no quorum.

Call of the Senate.

On motion of Senator McFarlane, the Chair announced a call of the Senate.

The secretary called the roll, which showed the following members present and absent:

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Price.
Bowers.	Real.
Floyd.	Reid.
Hall.	Russek.
Holbrook.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Woodward.
Miller.	

Absent.

Fairchild.	Smith.
Greer.	Westbrook.
Hardin.	Wirtz.
Moore.	Witt.
Pollard.	Wood.

The Chair directed the Sergeant-at-Arms to bring in the absent members.

Senate Bill No. 453.

The Chair announced a quorum had been secured.

S. B. No. 453 was finally passed by the following vote:

Yeas—21.

Berkeley.	McFarlane.
Bledsoe.	Neal.
Bowers.	Parr.
Fairchild.	Price.
Floyd.	Real.
Hall.	Reid.
Lewis.	Russek.
Love.	Smith.

Stuart.	Wood.
Triplett.	Woodward.
Witt.	

Nays—2.

Bailey.	Holbrook.
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Absent.

Greer.	Pollard.
Hardin.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.

House Bill No. 614.

The Chair laid before the Senate, the following bill:

H. B. No. 614, A bill to be entitled "An Act to create a special and more efficient road system for Jasper County, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts upon the public roads, bridges and streets; providing for the amount of credit he shall receive for such work and providing for commutation of sentence of faithful service and providing for the hiring of county convicts to individuals of the county for either public or private employment; defining the powers and duties of road overseers and placing them directly under the jurisdiction and control of said road commissioners; providing a penalty for the obstruction of driveways or ditches on public roads; providing that said county may assist in financing for improvement and maintenance of streets in cities and incorporated towns in the county and making this Act cumulative of the General Laws now in force, and declaring an emergency."

The bill was read second time. The committee report was adopted, and the bill passed to third reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days, was suspended and H. B. No. 614 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Floyd.
Berkeley.	Hall.
Bledsoe.	Hardin.
Bowers.	Holbrook.
Fairchild.	Lewis.

Love.	Reid.
McFarlane.	Russek.
Miller.	Smith.
Moore.	Stuart.
Neal.	Triplett.
Parr.	Ward.
Pollard.	Westbrook.
Price.	Wood.
Real.	Woodward.

Absent.

Greer.	Witt.
Wirtz.	

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Greer.	Witt.
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House Bill No. 517.

The Chair laid before the Senate, the following bill:

H. B. No. 517, A bill to be entitled "An Act to amend Article 2547, Chapter 2, Title 47, Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time.

Senator Love sent up the following amendment:

Amendment No. 1.

Amend H. B. No. 517 by adding a new paragraph at the end of Section 1, as follows:

"Any person who shall deposit with or pay into any depository of county funds, qualified under this Act, selected under the law, which shall have pledged securities to secure such county funds any county funds, or who shall accept any such payment or deposit without first having ascertained that such county depository has pledged and in the hands of the commissioners' court

for the purpose of securing such county funds, securities of the kind permitted by law, equal in amount to the total amount of funds of the county which will be deposited with such depository after such payment or deposit is made, shall be guilty of a felony, and upon conviction, shall be imprisoned in the State penitentiary for a term of not less than one year."

Amendment No. 2.

By Senator Love:

Amend the caption of H. B. No. 517 to conform thereto.

The amendments were read and adopted.

The bill was passed to third reading.

On motion of Senator Ward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 517 was put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Neal.
Berkeley.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Hall.	Reid.
Hardin.	Russek.
Holbrook.	Smith.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.

Absent.

Bledsoe.	Witt.
Greer.	Wood.
Moore.	Woodward.
Stuart.	

The bill was read third time and passed finally, by the following vote:

Yeas—17.

Bailey.	Neal.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Hardin.	Russek.
Lewis.	Smith.
Love.	Triplett.
McFarlane.	Ward.
Miller.	

Nays—4.

Hall.	Parr.
Holbrook.	Reid.

Present—Not Voting.

Fairchild.	Floyd.
	Absent.
Greer.	Wirtz.
Moore.	Witt.
Stuart.	Wood.
Westbrook.	Woodward.

House Bill No. 516.

Senator Bailey received unanimous consent to take up the following bill:

H. B. No. 516, A bill to be entitled "An Act to amend Article 5525 of the Revised Civil Statutes of the State of Texas, 1925, by providing for the survival of a cause of action for injuries in case of the death of the injured persons, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 516 was put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Greer.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wood.
Miller.	Woodward.
Moore.	

Absent.

Greer.	Wirtz.
Stuart.	Witt.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Love.
Berkeley.	McFarlane.
Bledsoe.	Miller.
Bowers.	Moore.
Fairchild.	Neal.
Floyd.	Parr.
Hall.	Pollard.
Hardin.	Price.
Holbrook.	Real.
Lewis.	Reid.

Russek.
Smith.
Triplett.
Ward.

Westbrook.
Wood.
Woodward.

Absent.

Greer.
Stuart.

Wirtz.
Witt.

House Bill No. 72.

On motion of Senator Hall, H. B. No. 72 was made a special order for this afternoon at 3:00 o'clock.

House Bill No. 71.

The Chair laid before the Senate, by unanimous consent, the following bill:

H. B. No. 71, A bill to be entitled "An Act to amend Chapter 172 of the General Laws of the Regular Session of the Thirty-ninth Legislature, Section 5, page 388, relating to the preservation and propogation of all wild animals, wild birds and wild fowls of this State, and amending Chapter 6 of the Revised Criminal Statutes, Article 878, page 197, relating to division into zones for the time limits as to hunting game, making provisions for a change in boundary from Longview to Loraine on the Louisiana State line instead of from Longview to Texarkana, and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 109.

On motion of Senator McFarlane, H. B. No. 109 was made a special order for this afternoon, after H. B. No. 72.

House Bill No. 528.

On motion of Senator Triplett, the regular order of business was suspended, and the Senate took up, out of its order, the following bill:

H. B. No. 528, A bill to be entitled "An Act authorizing the commissioners' court of Jefferson County, Texas, to purchase automobiles for the use of the commissioners when acting as road supervisors under appropriate regulations of said court, and providing for the reports thereon to the auditor and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency."

The bill was read second time.

The committee report was adopted, and the bill passed to third reading.

On motion of Senator Triplett, the constitutional rule requiring bills to be read on three several days was suspended, and H. B. No. 528 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Witt.
Stuart.	

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Neal.
Berkeley.	Parr.
Fairchild.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Witt.
Stuart.	

House Bill No. 485.

On motion of Senator Fairchild, the regular order of business was suspended, and the Senate took up, out of its order, the following bill:

H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorneys of said district, and fixing their compensation, repealing all laws or parts of laws in conflict herewith and providing when said Act shall be effective."

The bill was read second time.
The committee report was adopted
and the bill passed to third reading.

House Bill No. 316.

On motion of Senator Lewis, the regular order of business was suspended, and the Senate took up, out of its order, the following bill:

H. B. No. 316, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes, 1925, and as amended by Chapter 99, Regular Session of the Thirty-ninth Legislature, and Chapter 11 of the First Called Session of the Thirty-ninth Legislature, so as to include Fort Bend and Marion Counties within the provisions of said article, which relates to stock law election, and declaring an emergency."

The bill was read second time with engrossed rider.

Senator Lewis sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 316 by inserting between the words "Reeves" and "Real" the word "Reynolds."

Amendment No. 2.

Amend H. B. No. 316 by changing the letter "e" to the letter "a" between the letter "w" and the letter "l" in the word "Rockwell."

Amendment No. 3.

Amend H. B. No. 316, by inserting the letter "e" in the word "Baily" between the letter "l" and the letter "y."

Amendment No. 4.

Amend the caption of H. B. No. 316, so as hereafter to read as follows:

H. B. No. 316, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes, 1925, and as amended by Chapter 99, Regular Session of the Thirty-ninth Legislature, and Chapter 11 of the First Called Session of the Thirty-ninth Legislature, so as to include Archer, Briscoe, Chambers, Fort Bend, Jim Wells, Leon, Marion, Polk, Refugio, Reynolds, Runnels and Throckmorton Counties within the provisions of said article, which relates to stock law elections, and declaring an emergency."

The amendments were read and adopted.

The bill with engrossed rider was passed to third reading.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 316 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Witt.
Stuart.	

The bill with engrossed rider was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Witt.
Stuart.	

House Bill No. 585.

The Chair laid before the Senate, by unanimous consent, the following bill:

H. B. No. 585, A bill to be entitled "An Act to amend Article 1422 of the Penal Code of the State of Texas for 1925, so as to provide that the punishment for theft of property of the value of five dollars or under shall be by fine not exceeding two

hundred dollars, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 585 was put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Greer.	Stuart.
Hardin.	Witt.

The bill was read third time and passed finally.

House Bill No. 275.

The Chair laid before the Senate, by unanimous consent the following bill:

H. B. No. 275, A bill to be entitled "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which such applications may be made and elections held to remove county seats in certain instances; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Reid, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 275 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Holbrook.
Berkeley.	Lewis.
Bledsoe.	Love.
Bowers.	McFarlane.
Fairchild.	Miller.
Floyd.	Moore.
Hall.	Neal.
Hardin.	Parr.

Pollard.	Triplett.
Price.	Ward.
Real.	Westbrook.
Reid.	Wirtz.
Russek.	Wood.
Smith.	Woodward.

Absent.

Greer.	Witt.
Stuart.	

The bill was read third time and passed finally.

House Bill No. 636.

The Chair laid before the Senate, by unanimous consent the following bill:

H. B. No. 636, A bill to be entitled "An Act to create Road District No. 7 in Shelby County, Texas, validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating the authorization, issuance and sale of certain bonds thereof dated February 9, 1920, and numbered forty-six to one hundred, inclusive, totaling twenty-seven thousand five hundred (\$27,500) dollars, of five hundred (\$500) dollars each, providing for their payment by the annual levy and assessment of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners' court of said county in respect of said designated road district bonds and taxes or certified copies thereof and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 636 was put on its third reading and final passage, by the following vote:

Yeas—30.

Bailey.	Love.
Berkeley.	McFarlane.
Bledsoe.	Miller.
Bowers.	Moore.
Fairchild.	Neal.
Floyd.	Parr.
Hall.	Pollard.
Hardin.	Price.
Holbrook.	Real.
Lewis.	Reid.

Russek.	Westbrook.
Smith.	Wirtz.
Stuart.	Witt.
Triplett.	Wood.
Ward.	Woodward.

Absent.

Greer.

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Greer.

House Bill No. 317.

The Chair laid before the Senate, by unanimous consent, the following bill:

H. B. No. 317, A bill to be entitled "An Act to amend Section 5 and Section 6 of Chapter 37 of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169 of the General Laws of the Thirty-ninth Legislature of the State of Texas."

The bill was read second time and passed to third reading.

On motion of Senator McFarlane, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 317 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	

Absent.

Greer.	Woodward.
Stuart.	Witt.

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Hall.	Reid.
Holbrook.	Russek.
Lewis.	Smith.
Love.	Triplett.
McFarlane.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.
Neal.	Wood.

Present—Not Voting.

Bailey.

Absent.

Floyd.	Stuart.
Greer.	Witt.
Hardin.	Woodward.

Senate Bill No. 481.

The Chair laid before the Senate, by unanimous consent, the following bill:

S. B. No. 481, A bill to be entitled "An Act amending Section 3, Chapter 16, General Laws passed by the Thirty-ninth Legislature at its First Called Session, by adding thereto Section 3a, providing that any road district a portion of which is proposed to be incorporated into a new road district, should embrace the whole or any part of any levee improvement district, drainage district created under any law passed pursuant to Section 52, Article 3, of the Constitution of this State, the territory covered by such district and other territory adjacent thereto may be excluded from the district sought to be created, but except as herein specifically permitted, no fractional part of a previously created road district shall be excluded within the limits of the road district created under the provision of this Act, and such excluded territory shall continue to bear and pay its proper proportion of any existing debt created for the construction of macadamized, gravelled or paved roads and turnpikes or in aid thereof, but shall not pay any portion of any debt created for said purpose after such territory is excluded from the district; and declaring an emergency."

The bill was read second time, committee report adopted and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 481 put on its third reading and final passage, by the following vote:

Yeas—23.

Bailey.	Price.
Berkeley.	Reid.
Bledsoe.	Smith.
Bowers.	Stuart.
Fairchild.	Triplett.
Hall.	Ward.
Hardin.	Westbrook.
Holbrook.	Witt.
Lewis.	Wood.
Love.	Real.
Moore.	Woodward.
Parr.	

Absent.

Floyd.	Neal.
Greer.	Pollard.
McFarlane.	Russek.
Miller.	Wirtz.

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Witt.
Moore.	Wood.
Parr.	Woodward.

Absent.

Floyd.	Neal.
Greer.	Russek.
McFarlane.	Wirtz.
Miller.	

Senate Concurrent Resolution No. 34.

Senator Wood sent up the following resolution:

Whereas, Senate Bill No. 398 has finally passed the Senate and the House and is now on the Governor's desk for his approval; and

Whereas, there is an error in said bill:

Now, Therefore, Be It Resolved by the Senate of the State of Texas, the House concurring, that said Senate

Bill No. 398 be recalled from the Governor's office for further consideration and correction.

The resolution was read and adopted.

House Bill No. 488.

The Chair laid before the Senate the following bill:

H. B. No. 488, A bill to be entitled "An Act amending Article 350, Revised Civil Statutes of Texas of 1925, so as to authorize the Banking Commissioner of Texas to appoint State bank examiners, not to exceed one for each thirty banking corporations subject to examination; and declaring an emergency."

The bill was read second time, committee report was adopted and passed to third reading.

House Bill No. 487.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 487, A bill to be entitled "An Act amending Article 351, Revised Civil Statutes of Texas, 1925, changing and increasing the compensation of Field Examiners for State Banks and Banking Corporations; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 500.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 500, A bill to be entitled "An Act to repeal Article 348, Revised Civil Statutes of Texas, of 1925, and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 501.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 501, A bill to be entitled "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidations; providing that upon approval of such final report the charter of each bank shall be forfeited; and further providing for the filing of certificates of such forfeiture; and declaring an emergency."

The committee report was adopted and the bill passed to engrossment.

House Bill No. 502.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 502, A bill to be entitled "An Act requiring directors of State banks, bank and trust companies and banking corporations, organized and doing business under the laws of this State, to be elected annually; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 503.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 503, A bill to be entitled "An Act relieving State banks, in the hands of the Banking Commissioner for liquidation, from the payment of franchise taxes; providing that the failure of the Commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; repealing all laws in conflict; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 504.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 504, A bill to be entitled "An Act amending Article 517, Revised Civil Statutes of Texas, of 1925, and providing that no attorney's fee shall be collectible on notes or other evidence of debt issued by a State bank in the hands of the Commissioner for liquidation, where such notes or other evidence of debt are placed with an attorney for collection within thirty days after closing of such bank; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 505.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 505, A bill to be entitled "An Act prohibiting the Banking Commissioner and his employees from purchasing, directly or indirectly, any asset belonging to a State bank in the hands of the Commissioner for liquidation; providing penalty and declaring an emergency."

The Committee report was adopted and the bill passed to third reading.

House Bill No. 506.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 506, A bill to be entitled

"An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporations as he may deem necessary; providing a penalty; fixing the venue of suits, and the disposition of penalties collected; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 507.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 507, A bill to be entitled "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 508.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 508, A bill to be entitled "An Act to require all State banks, saving banks, and bank and trust companies to adopt by-laws and to file certified copies of such by-laws with the Banking Commissioner; providing a penalty; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 509.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 509, A bill to be entitled "An Act making it a felony for any stockholder, officer, director, employee, or agent of any bank, incorporated and operating under the laws of this State, to abstract, remove, destroy, or secrete any papers, books or records of any such bank, or from the custody of the Banking Commissioner; providing a penalty; prescribing the procedure for the indictment and trial of principal offenders, accomplices, and accessories; repealing all laws in conflict, and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 510.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 510, A bill to be entitled "An Act making it a felony for any director, officer, or employee of a

State bank or bank and trust company to enter into any contract with a bucket shop, as defined in Article 659 of the Penal Code of Texas, or to place an order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658, and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 511.

The Chair laid before the Senate, on second reading, the following bill:

H. B. No. 511, A bill to be entitled "An Act to amend Article 373, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, eliminating therefrom the words "and a receiver or other agency appointed for the liquidation of its affairs and the payment of its debts," and substituting therefor the following "and taken over by the Banking Commissioner of Texas for the purpose of liquidation, as provided by law"; and declaring an emergency."

The committee report was adopted and the bill passed to third reading.

House Bill No. 512.

The Chair laid before the Senate the following bill:

H. B. No. 512, A bill to be entitled "An Act requiring all State banks to charge off annually for depreciation a percentage of cost of furniture and fixtures and regulating the carrying of bank buildings as an asset; and declaring an emergency."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 513.

The Chair laid before the Senate the following bill:

H. B. No. 513, A bill to be entitled "An Act to amend Article 455, Revised Civil Statutes of Texas, and eliminating therefrom the provision that stockholders who are depositors of insolvent banks shall be protected for only that portion of their deposits over and above their liability as stockholders; and providing for the venue of suits to enforce stockholders' liability; and declaring an emergency."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 514.

The Chair laid before the Senate the following bill:

H. B. No. 514, A bill to be entitled "An Act amending Article 544 of the Penal Code of the State of Texas, of 1925, reducing the minimum penalty for embezzling or misapplying the funds of any State bank or bank and trust company incorporated under the laws of Texas from five years to two years and declaring an emergency."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 532.

The Chair laid before the Senate the following bill:

H. B. No. 532, A bill to be entitled "An Act prohibiting the sale by any officer, director or employee of a State bank of any note, security or property to such bank without the written consent of the board of directors."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 533.

The Chair laid before the Senate the following bill:

H. B. No. 533, A bill to be entitled "An Act prohibiting any person from being president and cashier, at the same time in any bank, organized and operating under the laws of this State."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 534.

The Chair laid before the Senate the following bill:

H. B. No. 534, A bill to be entitled "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Banking Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained; and declaring an emergency."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 536.

The Chair laid before the Senate the following bill:

H. B. No. 536, A bill to be entitled "An Act to relieve the Banking Commissioner and the State Banking Board from giving cost bonds in trial courts, and cost bonds and superseas bonds on appeal; repealing all laws in conflict herewith; and declaring an emergency."

The bill as read second time, committee report adopted and passed to third reading.

House Bill No. 545.

The Chair laid before the Senate the following bill:

H. B. No. 545, A bill to be entitled "An Act amending Article 506, Revised Civil Statutes, 1925, and requiring State banks and State bank and trust companies to increase their capital stock when there shall be an undue excess of deposits over capital stock and surplus, and giving the Banking Commissioner authority to require an additional increase of capital stock of such corporations when necessary for the protection of depositors; prescribing the ratio of deposits to capital stock and surplus; requiring annual reports of total average daily deposits and the time thereof; making directors personally liable to depositors, in event of failure to comply with the provisions of this Act; and declaring an emergency."

The bill was read second time.

The committee report carrying amendments was adopted.

The bill was passed to third reading.

House Bill No. 546.

The Chair laid before the Senate the following bill:

H. B. No. 546, A bill to be entitled "An Act providing for and regulating the amendments of charters of State banks and State bank and trust companies; and declaring an emergency."

The bill was read second time, committee report adopted and passed to third reading.

House Bill No. 93.

The Chair laid before the Senate the following bill:

H. B. No. 93, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, providing additional purposes for which corporations may be formed under the laws of Texas, under what shall be known as Title & Trust Companies, providing said corporations may incorporate for one or more of the purposes stated, and that no corporation incorporated including in its corporate powers the purposes provided in the fourth sub-division of this Act with a capital stock of not less than fifty thousand dollars."

The bill was read second time.

The committee report carrying amendments was adopted.

The bill was passed to third reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 93 put on its third reading and final passage, by the following vote:

Yeas—28.

Balley.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Absent.

Greer.	Witt.
Price.	

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Balley.	Moore.
Berkeley.	Neal.
Bledsoe.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Hall.	Reid.
Hardin.	Russek.
Holbrook.	Smith.
Lewis.	Stuart.
Love.	Triplett.
McFarlane.	Ward.
Miller.	Westbrook.

Wirtz. Real.
Wood. Woodward.

Absent.

Floyd. Witt.
Greer.

House Bill No. 370.

Senator Stuart called up from the table the following bill:

H. B. No. 370, A bill to be entitled "An Act defining insurance agents for the purposes of this Act; providing for the licensing of such agents; forbidding engaging in the business of insurance, as defined in this Act, without a license; providing and prescribing who may be licensed; forbidding overinsurance; forbidding discrimination; forbidding rebating; giving authority to the Commissioner of Insurance to grant licenses, and to revoke licenses; authorizing the Commissioner to make or have made examinations, and to call for facts under oath; providing penalties for violation of this Act; giving parties, and declaring an emergency."

Senator Stuart sent up the following amendment:

Amend House Bill No. 370 by adding in Section 2, after the words "health insurance," the words "or reciprocal insurance."

The amendment was read and adopted.

Senator Bowers sent up the following amendment:

Amend House Bill No. 370 by striking out all of Sections 4 and 6 and by renumbering the sections.

The amendment was read.

Motion to Defer Special Order.

Senator Stuart at 3:00 o'clock p. m. moved to defer the special order set until the completion of S. B. No. 370.

The motion was lost by the following vote:

Yeas 15.

Berkeley.	Reid.
Floyd.	Stuart.
Hardin.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Parr.	Woodward.
Price.	

Nays 10.

Bailey.	Hall.
Bledsoe.	Holbrook.

Lewis. Russek.
Neal. Triplett.
Pollard. Wood.

Present—Not Voting.

Smith.

Absent.

Bowers. Moore.
Fairchild. Real.
Greer.

Resolution Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution.

H. J. R. No. 25.

Messages from the House.

The Chair recognized the doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 475, A bill to be entitled "An Act to amend Article 3092 (3093) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000, as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census, and composing two or more judicial districts with courts of general jurisdiction and having no district attorney, the maximum compensation to be paid to first assistants, heads of departments and other assistants to the office of county attorney in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902-B (3903-B); and to amend Article 3902 (3903) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000 as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census and com-

posing two or more judicial districts, and the maximum compensation to be paid to first assistants or deputies, heads of departments named in Article 3883, except the office of county attorney, in such counties, and providing for the allowing of such compensation and the manner of payment thereof, by adding Section 3902-C (3903-C); repealing all laws and parts of laws in conflict with the amendments herewith provided for, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

S. C. R. No. 34, recalling S. B. No. 398 from the Governor.

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 585.	S. B. No. 484.
H. B. No. 275.	H. B. No. 614.
S. B. No. 482.	H. B. No. 528.
S. C. R. No. 34.	H. B. No. 317.

Senate Bill No. 398.

The Chair announced that he had erased his signature to S. B. No. 398.

On the motion of Senator Wood, the vote by which the bill finally passed, was rescinded by unanimous consent.

Senator Wood sent up the following amendment:

Amend Senate Bill No. 398 by striking out of said bill, wherever it occurs, the following: "Article 816" and insert in lieu thereof the following "Article 1816."

The amendment was read and adopted.

The bill was finally passed.

Simple Resolution No. 87.

Senator Neal sent up the following resolution:

For purposes of reconsideration, I

desire to call back from the House H. B. No. 636.

The resolution was read and adopted.

Messages from the House.

The Chair recognized the door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 64, A bill to be entitled "An Act to amend Title One, Chapter One, Article 3943, Revised Civil Statutes of Texas, relating to fees of Office of County Treasurers, so as to hereafter read as follows:"

S. B. No. 455, A bill to be entitled "An Act creating a special road law for Hunt County, Texas, providing that said county may fund the legal outstanding indebtedness against its road and bridge funds as of January 1, 1927, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which S. B. No. 398 was finally passed.

The House has finally passed

S. B. No. 398, A bill to be entitled "An Act to amend Article 816, Chapter 1, Title 39, Revised Civil Statutes, 1925, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

In accordance with Simple Resolution No. 87, the House returns H. B. No. 636 to the Senate for further consideration.

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Conference Report on H. B. No. 561.

Senator Wood sent up the following conference report on H. B. No. 561.

Committee Room,

Austin, Texas, March 11, 1927.

Conference Committee Report on H. B. No. 561.

Hon. Barry Miller, President of the Senate and Hon. Robert Lee Bobbitt, Speaker of the House of Representatives:

Sirs: We, your Conference Committee on H. B. No. 561, have had the same under consideration and have adjusted the difference between the House and Senate, and recommend the passage of the following substitute bill:

By Tear.

H. B. No. 561.

**A BILL
To Be Entitled**

An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State Government, as named herein, for the balance of the fiscal year ending August 31, 1927; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money be, and the same are hereby, appropriated out of any funds in the State Treasury, not otherwise appropriated, to cover emergency appropriations for the several institutions and departments of the State Government named herein for the balance of the fiscal year ending August 31, 1927, which appropriations shall be for the emergencies hereinafter stated:

University of Texas

Summer school, 1927	\$110,000.00
Unpaid premiums on insurance in force to August 31, 1927	8,500.00
Colleges of Mines and Metallurgy, El Paso, boiler for heating plant	3,000.00
To purchase one acre of land to complete the Breckenridge tract on West 6th Street	2,500.00
To purchase property of Mrs. Nina Von Rosenberg, 114 ft. by 130 ft.	

on Whitis Ave., between 25th and 26th streets	25,000.00
Equipment and repair for electrical engineering	8,500.00
Equipment and repairs for aeronautical engineering	5,000.00
Furniture and furnishings for Littlefield Dormitory	50,000.00
Improvements on old Blind Institute property now used as dormitory, furniture and additional dormitory, space for men	45,000.00
Repair to Administration Building at Galveston	20,500.00
Deficit on water, lights and fuel, President's home	300.00
Total	\$278,300.00

Agriculture and Mechanical College of Texas.

For maintenance of College steam plant	\$ 20,000.00
Departmental maintenance	10,000.00
For extension of tunnels, sewer, water main and plumbing to be available July 1, 1927	10,000.00
For two fireproof dormitories	300,000.00
For use of Agricultural and Mechanical College at any place in this State, through its experimental station system or otherwise, in connection with flea hopper investigation and control or investigation and research relative to any other destructive insect or pest	15,000.00

Total **\$355,000.00**

Research Work by Texas Agricultural Experiment Station in the Study of Cotton Root Rot Disease.

One plant pathologist to have headquarters at Root Rot Field Laboratory at Temple (six months)	\$ 1,800.00
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One botanist to have headquarters at Root Rot Field Laboratory at Temple, to study the host plants of cotton root rot fungus	1,500.00	and fruits in the Rio Grande Valley	1,800.00
One physiological chemist to have headquarters at Root Rot Field Laboratory to study the physiological and chemical relationship of the soils and the plants to cotton root rot disease, six months	1,800.00	Labor and equipment in connection with truck and fruit root rot experiments at Substation No. 15, Weslaco	800.00
Labor necessary in connection with the intensive operation of 50 acres of experimental work with cotton root rot disease at Temple	3,000.00	Total	\$ 35,000.00
Additional land needed for exclusive study of root rot problem	6,000.00	John Tarleton Agricultural and Mechanical College.	
Teams, tools, implements machinery, fences and equipment	3,700.00	Fuel, lights and water	\$ 7,000.00
One laboratory building	3,000.00	Summer school	4,000.00
Scientific apparatus and equipment, providing working conditions and facilities for plant pathologist, botanist and physiological chemist	6,000.00	Equipment for mess hall	6,500.00
Travel of pathologist, botanist and physiological chemist to and from other root rot infested areas where contacts should be maintained	1,500.00	Repairs to buildings	5,000.00
One trained laboratory technician stationed at the indoor laboratory, College Station	1,500.00	Total	\$ 22,500.00
One plant pathologist to be located at Substation No. 16, Iowa Park, near Wichita Falls, to study root rot disease affecting alfalfa	1,800.00	North Texas Agricultural College.	
Labor and equipment in connection with alfalfa root rot experiments at Substation No. 16, Iowa Park	800.00	Fuel, light, heat, water and power	\$ 2,700.00
One plant pathologist to be located at Substation No. 15, Weslaco, to study root rot disease affecting truck		Departmental maintenance	4,000.00
		Total	\$ 6,700.00
		College of Industrial Arts.	
		For remodeling former Library quarters in Administration Building and turning this space into class rooms, and providing furniture therefor	\$ 3,500.00
		To pay teachers now on payroll from local funds	32,850.00
		Summer school	8,000.00
		Total	\$ 44,350.00
		Texas Technological College.	
		Summer school, 1927	\$ 47,350.00
		Fuel and lights	5,000.00
		Salaries for Long Term	61,626.00
		Total	\$113,976.00
		East Texas State Teachers College.	
		Summer term, 1927	\$ 20,000.00
		North Texas State Teachers College.	
		Summer school, 1927	\$ 10,000.00
		Additional land	20,000.00
		Total	\$ 30,000.00
		Sam Houston State Teachers College.	
		Summer school, 1927	\$ 12,000.00

Stephen F. Austin State Teachers College.

To employ additional instructors, during the spring term, 1927_____ \$ 3,000.00
 Summer school, 1927_____ 12,000.00

Total_____ \$ 15,000.00

South Texas State Teachers College.

Summer term, 1927_____ \$ 10,000.00

Southwest Texas State Teachers College.

Fuel, water, light, heat, power, and plumbing_____ 3,500.00
 Summer school, 1927_____ 12,000.00

Additional boiler, including installation, repairs and improvement of heating plant_____ 13,000.00

Departmental maintenance, repairs and improvement _____ 14,560.00

Total_____ \$ 43,060.00

Sul Ross State Teachers College.

Summer term, 1927_____ \$ 1,500.00

West Texas State Teachers College.

Summer school, 1927_____ \$ 12,000.00

Fuel, light, heat and power _____ 6,000.00

Repairs for President's home _____ 2,000.00

Departmental maintenance _____ 2,000.00

Purchase of 200 acres of land known as T-Anchor Ranch _____ 13,000.00

Total_____ \$ 35,000.00

Prairie View State Normal and Industrial College.

Maintenance of steam plant _____ \$ 10,000.00

JUDICIARY

Court of Civil Appeals, 1st District. Galveston, Texas.

Books for library_____ \$ 400.00
 Fuel and lights_____ 4.02

Total_____ \$ 404.02

Court of Civil Appeals, 2nd District. Fort Worth, Texas.

Books for library_____ \$ 75.00

Court of Civil Appeals, 3rd District. Austin, Texas.

Ice _____ \$ 21.49
 Stationery _____ 177.40

Total_____ \$ 198.89

Court of Civil Appeals, 4th District. San Antonio, Texas.

Books for library_____ \$ 917.55

Court of Civil Appeals, 5th District. Dallas, Texas.

Books for library_____ \$ 227.80

Court of Civil Appeals, 6th District. Texarkana, Texas.

Stationery _____ \$ 67.50

Court of Civil Appeals, 7th District. Amarillo, Texas.

Books for library_____ \$ 1,467.50
 New typewriter _____ 100.00

Total_____ \$ 1,567.50

Court of Civil Appeals, 9th District. Beaumont, Texas.

Books for library_____ \$ 1,200.00

Commission of Appeals, Section B.

Stenographer, from Jan. 11, 1927, to August 31, 1927, at \$125 per month _____ \$ 958.33
 Stationery, etc. _____ 672.50

Total_____ \$ 1,630.88

Court of Criminal Appeals.

Salaries to commissioners for April, May, June, July, and August, 1927, at \$541.66 each _____ 5,416.60

Salaries, stenographers for April, May, June, July, and August, 1927, at \$15.00 each _____ 5,416.60

Salary to one stenographer from Feb. 12th to March 31st, at \$150.00 per month _____ 235.00

To pay for one set of S. W. Rep. Vol. 1 to 265 for the use of the Commissioners _____ 526.50

Total_____ \$ 7,678.10

State's Attorney before Court of Criminal Appeals.

One stenographer, Feb. 1
1927, to August 31,
1927\$ 1,050.00

DEPARTMENTAL.

Executive Department.

Contingent expense\$ 200.00
Furniture, fixtures, re-
pairs and typewriter... 1,500.00

Total.....\$ 1,700.00

Mansion and Grounds.

Fuel, lights, ice, tele-
phone, and water.....\$ 1,000.00

Adjutant General.

The following amount or
so much thereof as
may be necessary to
pay expenses of trans-
portation, storage and
distribution of cap-
tured German World
War trophies in ac-
cordance with the pro-
visions of Senate Con-
current Resolution No.
28 accepting on behalf
of the State of Texas
said trophies\$ 25,000.00

Office of the Attorney General.

Restoration of salary of
first assistant, Feb. 1,
1927, to Aug. 31,
1927 2,333.34

Stenographers, filing
clerks and telephone
operator 1,750.00

Furniture, fixtures, fil-
ing cabinets, repairs,
floor coverings, office
improvements 3,000.00

Costs in civil cases in
which the State, or
heads of any depart-
ment, is a party 1,500.00

Traveling expenses in-
curred by attorney
general, or any of his
assistants or repre-
sentatives, in giving
attention to the
State's business 2,000.00

Total.....\$ 10,583.34

AGRICULTURAL DEPARTMENT.

Horticultural Division.

Salary of one plant path-
ologist from March 1,
to August 31, 1927,
at \$175.00 per month.. 1,050.00

One nursery insepector
at \$150.00 per month
from March 1, to Au-
gust 31, 1927 900.00

Three pecan experts from
March 1, to August 31,
1927, at \$150.00 per
month 2,700.00

Citrus canker eradication 7,500.00

Provided, that any employee of
the department appointed to carry
on the work of eradicating citrus
canker shall be an expert with at
least five years experience in citrus
canker eradication work.

Division of Weights and Measures.

Two inspectors of
weights & measures
from March 1, to Au-
gust 31, 1927, at
\$125.00 per month 1,500.00

One truck 3 1-2 ton ca-
pacity 4,750.00

8,000 lbs. test weights.... 500.00

To exchange two old cars
for new cars and pay
the difference..... 1,500.00

Division of Entomology.

Pink boll worm eradica-
tion 4,000.00

Total.....\$ 24,400.00

Board of Pardon Advisors.

Contingent expenses 125.00

Comptroller's Department.

To pay salary of district
attorney for One Hun-
dred-sixth Judicial
District at \$41.66 per
month for the fiscal
year ending August 31,
1926 500.00

To pay salary of district
attorney for One Hun-
dred-sixth Judicial
District at \$41.66 per
month for the fiscal
year ending August
31, 1927 500.00

To pay salary of district
attorney for Thirty-

fourth Judicial District of Texas, composed of El Paso, Hudspeth and Culberson Counties for the year ending August 31, 1927	3,666.66	To pay Hon. Norman G. Kittrell, Special Chief Justice of the Supreme Court, for services to the Supreme Court of Texas in the case of Mrs. J. G. Wirtz vs. Sovereign Woodmen of the World, No. 4130 for three days in May, 1925, at the rate of \$18.00 per day	54.00
To pay salary of assistant district attorney for Thirty-fourth Judicial District of Texas, composed of El Paso Hudspeth and Culberson Counties for the year ending August 31, 1927	2,400.00	To pay salary of Judge of the One Hundred Fourth Judicial District from February 1, 1927, to August 31, 1927.	2,500.00
To pay salary of second assistant district attorney for thirty-fourth Judicial District of Texas, composed of El Paso, Hudspeth and Culberson Counties for the year ending August 31, 1927....	2,133.28	To pay salary of district attorney of the One Hundred Fourth Judicial District from Feb. 1, 1927, to August 31, 1927	2,000.00
To pay salary of judge of One Hundred-eighth Judicial District from Feb. 8, 1927, to Aug. 31, 1927	2,231.00	To pay Mexican Foreign Office costs of court for interpreter in the extradition proceeding of F. W. Jaeggli	30.00
To pay salary of Judge of Eighty-fourth Judicial District from Feb. 28, 1927 to Aug. 31, 1927	2,300.00	To pay expenses of Judge of One Hundred Third Judicial District for holding court in Wil-lacy county	400.00
To pay salary of District attorney of Eighty-fourth Judicial District from Feb. 28, 1927, to August 31, 1927	2,000.00	Total.....	\$ 41,214.94
To pay salary of Judge of Ninety-ninth Judicial District from March 1 to August 31, 1927.....	2,000.00	State Fire Insurance Commission.	
To pay Mexican War Veterans for the year ending August 31, 1926	3,000.00	Postage and box rent.....	1,000.00
To pay Mexican War Veterans for the year ending August 31, 1927	3,000.00	Provided that the maintenance of the Division of Fire Insurance shall be paid out of the revenue obtained from the one and one-fourth per cent tax on the gross premiums of all fire insurance companies, in accordance with Section 29 of the State Fire Insurance Commission Law, passed by the Regular Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-fifth Legislature, shall be paid into the State Treasury, and all unexpended balances at the end of the fiscal year shall remain in the State Treasury, to the credit of the State Fire Commission Fund as provided by law.	
To supplement the traveling expense account for the State Comptroller's Department for the year ending August 31, 1927	10,000.00	General Land Office	
For the purchase of material and labor for the construction of emergency filing cases for the preservation of records in the basement of the State Comptroller's Department	2,500.00	Salaries of two draughtsmen, two bookkeepers and three general clerks at \$165.00 per	

month from Feb. 1,
1927, to August 31,
1927 8,085.00
Salary of one stenograph-
er at \$125.00 per
month from March 1,
1927, to August 31,
1927 750.00
Salary of one stenograph-
er at \$125.00 per
month from March 15,
1927, to August 31,
1927 687.50

Total\$ 9,522.50

State Highway Department.

Files, desks, typewriters,
adding and calculating
machines 5,000.00
Amount due on 1926
contract for number
plates 17,467.30

Total.....\$ 22,467.30

Provided, that the above and fore-
going amounts appropriated herein
for State Highway Department shall
be paid out of the State Highway
Fund upon warrants issued by State
Comptroller as provided by Chapter
190, General Laws, Regular Session,
1917, and amendments thereto; and
provided further, that all funds com-
ing into the State Highway Fund de-
rived from registration fees or from
other sources, after deducting the
total of the foregoing, are hereby ap-
propriated to the State Highway De-
partment for the establishment of
a system of State Highways and the
construction and maintenance there-
of as contemplated and set forth in
Chapter 190, Acts 1917, and all Acts
amendatory thereto.

Industrial Accident Board.

Books, stationery, office
supplies etc 1,500.00
Postage, post office box
rent, telephone, and
telegraph 400.00

Total.....\$ 1,900.00

Library and Historical Commission.

Books and stationery 11.49

Department of State

To employ a person for
one month to separate,
classify, and file
papers and data in con-
nection with pardons
and executive clem-

ency and applications
for same 125.00
To pay outstanding ac-
counts due to various
newspapers over the
State for the publica-
tion of the Constitution-
al amendments, 1926 10,000.00

All the unexpended balance of the
\$1,000.00 appropriation to be
found on Page 544, General Laws,
Regular Session, Thirty-ninth Legis-
lature for administrative expense,
Blue Sky Division, for year ending
August 31, 1927, is hereby trans-
ferred and appropriated for use by
the Secretary of State to purchase
filing cabinets, files, and equipment
for properly indexing charters and to
purchase typewriters and for con-
tingent expenses.

To employ a person or
persons to prepare for
the printer and com-
pare the proof of the
printer with the orig-
inals, the session laws
enacted by the Legis-
lature and to do any
and all things neces-
sary to be done by the
Secretary of State in
reference to the print-
ing of such laws..... 500.00

Total\$ 10,625.00

State Treasury.

Salary of one assistant
auditor at \$150.00 per
month beginning
March 1, 1927, and
ending August 31,
1927\$ 900.00

Department of Insurance.

Postage, post office box
rent, stationery, tele-
phone and telegraph.... 2,000.00

Railroad Commission.

To adjust salary of Chief
Clerk and Accountant,
Gas Utilities of Rail-
road Commission, to
cover stenographic er-
ror in appropriation
bill from:
Sept. 1, 1925, to Aug.
1, 1926 400.00
Sept. 1, 1926, to Aug.
31, 1927 400.00

For stationery and printing, Gas Utilities Division, for fiscal year ending Aug. 31, 1927 300.00

Total.....\$ 1,100.00

Board of Health.

Board of Health and expenses.....\$ 300.00

Main Office—

Office supplies 1,000.00

Contingent 5,000.00

Bureau of Child Hygiene—

Contingent 200.00

Silver Nitrate 500.00

Communicable Disease—

Travel expenses 600.00

Food and Drug—

Laboratory supplies, equipment, serums, vaccines, scientific publications 1,000.00

Vital Statistics—

Stamps, telephone, and telegraph 200.00

Engineering—

Short schools for water works operators, student engineers, etc. 150.00

Telephone, telegraph, stamps 500.00

Deficiency warrants outstanding for contingent fund entire department 2,000.00

Total.....\$ 11,450.00

Public Buildings and Grounds.

Gonzales State Park.

To purchase hose, tools, lawn mowers, and implements\$ 200.00

Department of Education.

For printing biennial report\$ 2,500.00

For printing elementary course of study 2,000.00

Total.....\$ 4,500.00

Indian School, Polk County.

For the support of Indian school for year of 1926-1927\$ 1,000.00

Board of Prison Commissioners.

To pay accrued taxes, but no penalties, interest or costs, owed on

State land constituting State farms of the State Prison System in Fort Bend, Houston, Bowie, Brazoria, Walker and Madison Counties, to be paid on accounts sworn to as correct by the county judge of each said county, respectively, provided the Comptroller may require any additional satisfactory evidence as to such taxes, each said account to be approved by the Prison Board, the following sum or so much thereof as may be necessary\$ 38,918.28

Eleemosynary.

Abilene State Hospital.

Support and maintenance\$ 20,000.00

Four attendants 1,260.00

Cook 280.00

Total.....\$ 21,540.00

Austin State Hospital.

Support and maintenance fund\$ 20,000.00

Austin State School.

For enlargement of power house, new boiler, and tunnel system.....\$ 50,000.00

Confederate Home.

Support and maintenance fund\$ 12,000.00

Eight attendants 2,565.00

Joe Hughes' claim (inmate of Confederate Home) 85.00

Total.....\$ 14,650.00

Rusk State Hospital.

Dry Goods and clothing\$ 15,000.00

Wichita Falls State Hospital

Construction tunnel for steam heat distribution\$ 25,000.00

Juvenile Training School (Gatesville)

Support and maintenance\$ 30,000.00

For extension of sewer

and construction of
disposal plants 7,600.00
Total.....\$ 37,600.00

Terrell State Hospital.

Enlargement and im-
provement of sewerage
disposal plant.....\$ 10,250.00

San Antonio State Hospital.

For repairs and addi-
tions to sewerage dis-
posal plant\$ 10,000.00

One new boiler, pipe, gas
burners and resetting
old boilers, the appro-
priation herein made to
be available July 1,
1927 20,000.00

Total.....\$ 30,000.00

Confederate Woman's Home.

Central heating plant and
equipment\$ 11,000.00

State Tuberculosis Sanitarium.

For elevator and equip-
ment for new Infirm-
ary building to be
opened about June 1st,
the appropriation here-
in made to be available
July 1st, 1927.....\$ 15,000.00

Support and maintenance
for this new building
the appropriation here-
in made to be available
July 1, 1927.....\$ 10,000.00

Total.....\$ 25,000.00

The appropriations herein provided
for are to be construed as the maxi-
mum sums to be appropriated to and
for the several purposes named here-
in and no expenditures shall be made
nor shall any obligations be incurred
which, added to the actual expendi-
tures, will exceed the amounts herein
appropriated for either of said pur-
poses and any sums not used for the
purpose named herein shall revert to
the State Treasury.

Sec. 2. The fact that the appro-
priations heretofore made for the
above items are exhausted or will be-
come exhausted before the expiration
of the time for which the same were
appropriated, creates an emergency
and an imperative public necessity
which justifies the suspension of the

Constitutional rule requiring bills to
be read on three several days in each
House, and the rule is hereby sus-
pended and this Act shall take effect
and be in force from and after its
passage, and it is so enacted.

Recapitulation.

Educational\$ 1,032,386.00
Judiciary 15,017.24
Departmental 209,617.85
Eleemosynary 260,040.00

Grand Total.....\$ 1,517,061.09

Respectfully submitted,

TEER,

BARRON,

WALLACE of Freestone,

PARRISH of Travis,

SATTERWHITE,

On the part of the House.

WOOD,

PARR,

HALL,

BOWERS,

STUART.

On the part of the Senate.

The report was ordered printed in
the Journal.

Messages From The Governor.

The Chair recognized the Door-
keeper, who introduced a messenger
from the Governor with the follow-
ing executive messages:

Executive Department,

Austin, Texas, March 11, 1927.

To the Honorable Senate of the State
of Texas.

Gentlemen:

With your advice and consent, I
desire to appoint the following named
persons to the following named
boards, respectively:

To be members of the State Board
of Medical Examiners:

Dr. H. W. Cummings, Dr. I. A.
Withers, Dr. J. M. Witt, Dr. L. H.
Reeves, Dr. N. D. Buie, Dr. T. J.
Crowe, Dr. Roy Russell, Dr. A. L.
Roddy, Dr. M. E. Daniels.

To be members of the State Board
of Dental Examiners:

Dr. A. W. Gould, Dr. W. P. Dela-
field, Dr. E. A. Robichaux.

To be members of the State Parks
Board.

Mrs. Phoebe K. Warner, Mr. Ho-
bart Key.

To be commissioners of Washing-
ton Park:

Mrs. Arthur Hartman, Mrs. Will Embry, Mr. D. C. Giddings, Mrs. S. W. Dean, Mrs. J. Wallace Brosig.

To be members of the State Board of Nurse Examiners:

Mrs. Eloween Mesch.

To be members of the State Board Veterinary Medical Examiners:

Dr. R. C. Dunn, Dr. J. A. Holzman, Dr. E. O. Smoterman, Dr. E. F. Lanham, Dr. H. L. Darby, Dr. Geo. Ireland, Dr. F. G. Cook.

To be district attorney of the Thirty-eighth Judicial District of Texas:

K. K. Woodly.

Through a clerical error the name of C. G. Neville was sent up for membership on the Board of Public Accountancy. To correct this error, I desire to withdraw that name and substitute therefor the name of F. C. Rogers.

Respectfully submitted.

DAN MOODY,
Governor of Texas.

House Bill No. 72.

The Chair laid before the Senate as special order the following bill:

H. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Acts of the Third Called Session of the Thirty-eighth Legislature, Article 7065, Revised Civil Statutes of 1925, by providing for an occupation tax upon wholesale dealers in gasoline equal to three cents per gallon on all such gasoline so sold by any such dealer; repealing all laws in conflict with said amendment, and declaring an emergency."

The bill was read second time.

The majority committee report carrying amendments was read.

Senator Holbrook moved that the minority report without amendments pass.

Senator Wood moved as a substitute that the majority report pass.

The motion by Senator Wood was lost by the following vote:

Yeas—14.

Bowers.	Smith.
Floyd.	Stuart.
Hardin.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.
Parr.	Witt.
Russek.	Wood.

Nays—16.

Bailey.	Bledsoe.
Berkeley.	Fairchild.

Hall.	Pollard.
Holbrook.	Price.
Lewis.	Real.
Love.	Reid.
McFarlane.	Triplett.
Neal.	Woodward.

Absent.

Greer.

The minority report was adopted by the following vote:

Yeas—16.

Bailey.	McFarlane.
Berkeley.	Neal.
Bledsoe.	Pollard.
Fairchild.	Price.
Hall.	Real.
Holbrook.	Reid.
Lewis.	Wood.
Love.	Woodward.

Nays—14.

Bowers.	Smith.
Floyd.	Stuart.
Hardin.	Triplett.
Miller.	Ward.
Moore.	Westbrook.
Parr.	Wirtz.
Russek.	Witt.

Absent.

Greer.

Senator Price sent up the following amendment:

Amend H. B. No. 72 by adding at the end of Section 2 thereof and as a part thereof the following:

Provided that on and after July 1st, 1929, the gasoline tax herein levied shall be only two cents instead of the rate fixed by this Act.

PRICE.

WOODWARD.

The amendment was read.

Senator Wirtz sent up the following substitute for the amendment by Senator Price:

Amend H. B. No. 72 by striking out of Article 7065, Section 1, of the bill, in line three of said article, the words "three cents," and in lieu thereof inserting the words "two cents."

The substitute was read.

Senator Pollard moved to table the substitute.

The motion to table was lost by the following vote:

Yeas—15.

Bailey.	McFarlane.
Berkeley.	Neal.
Bledsoe.	Pollard.
Fairchild.	Price.
Hall.	Real.
Holbrook.	Reid.
Lewis.	Woodward.
Love.	

Nays—15.

Bowers.	Stuart.
Floyd.	Triplett.
Hardin.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.
Parr.	Witt.
Russek.	Wood.
Smith.	

Absent.

Greer.

There being 15 yeas and 15 nays, the Chair voted nay, and the motion was lost.

The motion of Senator Pollard to put the previous question was lost by the following vote:

Yeas—13.

Bailey.	McFarlane.
Berkeley.	Neal.
Bledsoe.	Pollard.
Fairchild.	Price.
Hall.	Real.
Holbrook.	Woodward.
Lewis.	

Nays—18.

Bowers.	Russek.
Floyd.	Smith.
Greer.	Stuart.
Hardin.	Triplett.
Love.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.
Parr.	Witt.
Reid.	Wood.

Recess.

On motion of Senator Woodward, the Senate at 7:15 o'clock p. m., recessed until 8:30 o'clock p. m.

After Recess.

The Senate was called to order, pursuant to recess, at 8 o'clock p. m., by Lieutenant Governor Miller.

House Bill No. 72.

The question recurred upon the adoption of Senator Wirtz's amendment to H. B. No. 72.

Senate at Ease.

On motion of Senator Wood, the Senate at 9:30 o'clock stood at ease for 15 minutes.

Point of Order.

During consideration of H. B. No. 72, Senator Stuart having the floor, Senator Bailey raised the point of order that Senator Stuart was pursuing dilatory tactics and was only filibustering and should be taken from the floor. The Chair, Lieutenant Governor Miller, overruled the point of order stating there was no rule of the Senate taking a member from the floor for pursuing dilatory tactics. On appeal from the decision of the Chair, the Senate sustained the ruling of the Chair by the following vote:

Yeas—22.

Berkeley.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
McFarlane.	Ward.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Nays—8.

Bailey.	Love.
Floyd.	Pollard.
Holbrook.	Price.
Lewis.	Westbrook.

Absent.

Bledsoe.

Senator Love raised the point of order that the Senator from Tarrant was confessedly employing dilatory tactics.

The Chair overruled the point of order.

Senator Woodward raised the point of order that, by reading the provisions of the bill, the Senator from Tarrant was indirectly evading the discussion of the bill.

The Chair sustained the point of order.

The Senate voted not to allow the Senator from Tarrant to continue by the following vote:

Yeas—15.

Bailey.	Parr.
Berkeley.	Real.
Bowers.	Reid.
Fairchild.	Smith.
Hardin.	Stuart.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	

Nays—15.

Bledsoe.	Price.
Floyd.	Russek.
Hall.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wood.
Neal.	Woodward.
Pollard.	

Absent.

Greer.

There being 15 yeas and 15 nays, the Chair voted nay, and the motion was lost.

Senator Wirtz sent up the following amendment as a substitute for the pending amendment as a substitute pending substitute:

Amend H. B. No. 72 by adding at the end of Section 2 thereof, and as a part thereof, the following:

"Provided that on or after September 1, 1928, the gasoline tax herein levied shall be only two cents per gallon, instead of three cents per gallon."

The amendment was read.

The previous question was ordered.

Senator Greer moved to reconsider the vote by which the previous question was ordered. The motion was lost.

The amendment by Senator Wirtz was adopted. The amendment as substituted was adopted.

Senator Stuart sent up the following amendment:

Amendment No. 2.

By Stuart:

Amend H. B. No. 72 by adding after the word "person" in line 23 the following:

"Provided, however, that in arriving at the amount of occupation tax required to be paid under the provisions of this Act, there shall not be included any sales made to the United States Government, or to the State of Texas, or to any county, or to any incorporated city or town, to be used by such governmental agencies for public purposes, but all such sales shall be excluded from reports hereinafter required to be made."

The amendment was read and lost by the following vote:

Yeas—8.

Floyd.	Stuart.
Hardin.	Triplett.
Miller.	Westbrook.
Parr.	Witt.

Nays—23.

Bailey.	Neal.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Greer.	Russek.
Hall.	Smith.
Holbrook.	Ward.
Lewis.	Wirtz.
Love.	Wood.
McFarlane.	Woodward.
Moore.	

The bill as amended was passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 72 put on its third reading and final passage by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Smith.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Witt.
McFarlane.	Wirtz.
Miller.	Wood.
Moore.	Woodward.

Nays—1.

Stuart.

Bills Signed.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 398.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally, first time, and referred to appropriate committees:

H. B. No. 615, referred to Committee on Educational Affairs.

H. B. No. 492, referred to Committee on Civil Jurisprudence.

H. B. No. 550, referred to Committee on Highways and Motor Vehicles.

H. B. No. 366, referred to Committee on Public Lands.

H. B. No. 491, referred to Committee on Educational Affairs.

H. B. No. 649, referred to Committee on Highways and Motor Vehicles.

H. B. No. 282, referred to Committee on Internal Improvements.

H. B. No. 346, referred to Committee on State Affairs.

H. B. No. 641, referred to Committee on State Affairs.

H. B. No. 647, referred to Committee on Judicial Districts.

H. B. No. 401, referred to Committee on Internal Improvements.

H. B. No. 475, referred to Committee on State Affairs.

Free Conference Committee.

The Chair announced the appointment of the following members of the Free Conference Committee on H. B. No. 59 on the part of the Senate: Senators Fairchild, Lewis, Witt, Wood, Wirtz.

Adjournment.

On motion of Senator Holbrook, the Senate, at 11:55 p. m., adjourned until 10 o'clock a. m. Saturday.

APPENDIX.

Petitions and Memorials.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, March 10, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 7 carefully examined and compared, and find the same correctly enrolled and have this day at 2:40 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 10, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 159 carefully examined and compared, and find the same correctly enrolled and have this day at 5:40 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 10, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 239 carefully examined and compared, and find the same correctly enrolled and have this day at 2:40 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 31 carefully examined and compared, and find the same correctly enrolled and have this day at 11:00 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 461 carefully examined and compared, and find the same correctly enrolled and have this day at 11:00 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 447 carefully examined and compared, and find the same correctly enrolled and have this day at 11:00 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 311 carefully examined and compared, and find the same correctly enrolled and have this day at 11:00 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 222 carefully examined and compared, and find the same correctly enrolled and have this day at 11:00 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 25 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 33 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 469 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 441 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 480 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 409 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 435 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 246 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 470 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 477 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 436 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 201 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 476 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 304 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 467 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 448 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 471 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 468 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 479 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 453 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 481 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 572, A bill to be entitled "An Act to amend Chapter 2, Title 128 of the Revised Civil Statutes of the State of Texas, adopted by the Regular Session of the Thirty-ninth Legislature, by adding thereto a new article to be known as Article 7622-A, authorizing lands, either within or without existing water improvement districts, to be included with a district organized for co-operation with the United States under the Federal Reclamation Laws, for the purpose of the construction of irrigation works or the obtaining of a water supply therefrom, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed as S. B. No. 405, being the same bill, has been printed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 348, A bill to be entitled "An Act to amend Article 3810 of the Revised Civil Statutes of the State of Texas of 1925, providing for notice to subsequent purchasers and lien holders, whose lien on or interest in land is evidenced by the instrument in writing before a sale of the property under powers conferred by previous deed of trust or contract lien and prescribing the manner of giving such notice extinguishing all claims against said property by virtue of the subsequent lien if not filed within six month's time after the date of such sale, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BAILEY, Chairman.

By Poage, Jones H. B. No. 348

A BILL

To Be Entitled

An Act to amend Article 3810 of the Revised Civil Statutes of the State of Texas of 1925, providing for notice to subsequent purchasers and lien holders, whose lien on or interest in land is evidenced by the instrument in writing before a sale of the property under powers conferred by previous deed of trust or contract lien and prescribing the manner of giving such notice extinguishing all claims against said property by virtue of the subsequent lien if not filed within six months' time after the date of such sale, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3810 of the Revised Statutes of 1925 of the State of Texas be amended so as to hereafter read as follows:

"All sales of real estate made under powers conferred by any deed of trust or other contract lien shall be made in the county in which such real estate is situated. Where such real estate is situated in more than one county then notices as herein

provided shall be given in both or all such counties, and the real estate may be sold in either county, and such notice shall designate the county where the real estate will be sold. Notice of such proposed sale shall be given by posting written notice thereof for three consecutive weeks prior to the day of sale in three public places in said county or counties, one of which shall be made at the courthouse door of the county in which such sale is to be made, and if such real estate be in more than one county, one at the courthouse door or each county in which real estate may be situated, or the owner of such real estate may, upon written application, cause same to be sold as provided in said deed of trust or contract lien; provided that the rights of subsequent purchasers and lien holders whose lien on or interest in such land is evidenced by instrument in writing and containing the address of the holder or owner thereof and duly recorded as required by law at the time notice of such sale is given, shall not be extinguished by such sale, unless a copy of such notice of sale be forwarded to such holder or owner by registered mail to the address of such record holder or owner as shown by said record at least twenty days prior to such sale; the copy of said notice shall be mailed by registered mail by the county clerk of the county in which the property to be sold is located upon request of the holder of the lien being foreclosed and the said county clerk shall certify the fact of his mailing of a copy of the said notice under his official hand and seal, which certificate may be filed and recorded in the office of the county clerk as other instruments. If no suit of record is filed within six months after said sale because of not having received 'notice' from said clerk of the non-compliance with the provisions of this Act it shall be conclusively presumed that all the provisions of this Act have been complied with. Such sale shall be made at the public vendue between the hours of 10:00 o'clock a. m. and 4:00 o'clock p. m. of the first Tuesday in any month. When any such real estate is situated in an unorganized county, such sale shall be made in the county to which such unorganized county is attached for judicial purposes. The provisions herein

shall not deprive a lienholder from foreclosing his lien in the courts if he elects to do so."

Sec. 2. The fact that under the law as it now exists the right of subsequent purchasers and lien holders are not sufficiently protected, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended and this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 613, A bill to be entitled "An Act to amend Articles 1111, 1112, and 1113 of the Revised Statutes of Texas, pertaining to the encumbrance of lighting and water systems and income thereof by cities and towns to secure payment of funds for the purchase of improvement thereof, including therein the power to encumber sewer systems and the income thereof for said purposes and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 11th, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 525, A bill to be entitled "An Act to provide for the fixing of the salary of the Secretary of the Railroad Commission from time to time, as the salaries of other State employes are fixed; repealing all laws and part of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not otherwise.

WIRTZ, Chairman.

By Teer, Harmon. H. B. No. 525.

A BILL

To be entitled

An Act to provide for the fixing of the salary of the Secretary of the Railroad Commission of Texas by the Appropriation Committee from time to time, as the salaries of other State employes are fixed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the salary of the Secretary of the Railroad Commission of Texas shall be such sum as may be appropriated therefor by the Legislature from time to time.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The fact that the salary of the Secretary of the Railroad Commission of Texas is fixed by statute, and the fact that this is not in keeping with the plan of compensating practically all of the clerical employes of the State Government, together with the crowded condition of the calendar, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 396, A bill to be entitled "An Act to amend Article 1302, Revised Statutes of 1925, subdivision 54 thereof, authorizing the incorporation of clearing houses, providing for the maintenance of suitable rooms for the conduct of the business of such associations; authorizing the establishment and maintenance of uniformity in commercial usage among the members thereof, prescribing the type of banking corporations that may become members of such associations; authorizing the acquisition, preservation and dissemination and exchange between the members of such associations, or by the members of such associations, through said associations, of valuable business information and credit in-

formation upon the borrowers from such members, and upon the customers of the members of such associations; authorizing the adoption of rules regulating and standards of conduct governing the members of such associations; authorizing the employment of clearing house examiners and assistants, their payment and the prescribing of their duties; authorizing the adoption of rules and regulations by the members of such associations and their expulsion therefrom; authorizing the joining with other clearing house associations in the joint employment of clearing house examiners and the maintenance of a system of clearing house examinations of the members of such associations; and the authorizing the adoption, promulgation, and establishment of such rules and regulations, as will, in the judgment of the majority of the members of such associations, contribute to the safety and solvency of the members of such association, and the protection of the depositors of such members of such associations, and for other purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that the same be printed in the Journal and not otherwise.

WIRTZ, Chairman.

By Moursund and Alexander.

A BILL

To be entitled

An Act to amend Article 1302, Revised Statutes of 1925, Subdivision 54 thereof, authorizing the incorporation of clearing houses, providing for the maintenance of suitable rooms for the concluding of the business of such associations; authorizing the establishment and maintenance of uniformity in commercial usages among the members thereof, prescribing the type of banking corporations that may become members of such associations; authorizing the acquisition, preservation and dissemination and exchange between the members of such associations, or by the members of such associations through said associations, of valuable business information and credit information upon the borrowers from such members, and upon the customers

of the members of such associations; authorizing the adoption of rules, regulations and standards of conduct governing the members of such associations; authorizing the employment of clearing house examiners and assistants, their payment, and the prescribing of their duties; authorizing the adoption of rules and regulations by the members of such associations governing the admission of members to such associations and their expulsion therefrom; authorizing the joining with other clearing house associations in the joint employment of clearing house examiners and the maintenance of a system of clearing house examinations of the members of such associations; and the authorizing the adoption, promulgation, and establishment of such rules and regulations, not inconsistent with the law and of this Act, as will, in the judgment of the majority of the members of such associations, contribute to the safety and solvency of the members of such associations, and the protection of the depositors of such members of such associations, and for other purposes; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1302, Revised Statutes of the State of Texas, 1925, subdivision 54, be, and the same is, hereby amended so as to hereafter read as follows:

Article 1302. Subdivision 54. To establish and maintain clearing house associations, with power to provide and maintain suitable rooms for the conduct of their business, and to establish and maintain uniformity in the commercial usages among the members of such associations, to authorize any National Banking Association, and any State Bank, bank and trust company, or trust company incorporated under the laws of the State of Texas or any private bank to become members thereof; to acquire, preserve, disseminate and exchange between the members of such associations, or by the members of such associations through said clearing house associations, of valuable business information, and credit information upon the borrowers or customers of said members of such clearing house associations; to adopt rules, regulations, and standards of

conduct governing the members of such associations; to employ clearing house examiners, to contract for the compensation of such examiners, to provide for the employment of assistants for such examiners; to adopt rules governing the assessment of members for such association for the payment of expenses so incurred; to adopt and prescribe rules and regulations governing the admission of members of such associations, and their expulsion therefrom; to join with one or more such associations in other cities in the establishment and maintenance of a system of clearing house examinations of the members of such associations; and to adopt, promulgate and establish such rules and regulations governing the members of such associations as will, members of such associations, contribute to the solvency and safety of the members of such associations and the protection of the depositors of the members of such associations.

Sec. 2. That because of the reckless and hazardous credit policies and practices in the banking business in Texas, and the loss of millions of dollars through the failure of banks in Texas within recent years, there exists an imperative public necessity that the constitutional rule requiring that bills be read on three several days be, and the same is, hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room.

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

H. B. No. 282, A bill to be entitled "An Act applying only to counties in Texas having a population of 210,000 inhabitants by the census of 1920, enabling commissioners' courts in such counties to acquire by agreement with the city authorities full title and control of city-county hospitals which may be operated by such county and city governments located in such counties and providing for the levying of taxes, the appointment of a board of directors and the government and maintenance of such hospitals, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port same back to the Senate with the recommendation that it do pass and be not printed.

LOVE, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

H. B. No. 401, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have 5,000 or more inhabitants, in case of condemnation of land for laying out, establishing or enlarging parks, parkways or pleasure grounds to provide that the cost of such land should be paid for, wholly or in part, by the property owners owning property in the vicinity thereof and benefitted thereby, and to fix liens against said property so benefitted to the extent same is specially benefitted, and providing how said benefits may be assessed and collected, and providing how such assessments may be made to mature."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

LOVE, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 451, A bill to be entitled "An Act in the interest of maternity and infancy welfare and hygiene, accepting the provisions of an Act of the United States Congress approved December 23, 1921, as amended by the Sixty-ninth Congress by an Act approved January 22, 1927, and entitled 'An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes' commonly known as the 'Sheppard-Towner Act;' providing that the work shall be carried on through the State Board of Health, through its Bureau of Child Hygiene, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and that it be not printed,

S. B. No. 295 on the same subject having heretofore been printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands, to whom was referred

H. B. No. 366, A bill to be entitled "An Act to validate the grants of land made by the Crown of Spain to Juan Antonio Vidaurri, his heirs and assigns, of Porciones 39 and 40, lying and being situated in Zapata County, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns to said porciones, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

REAL, Chairman.

FORTIETH DAY.

Senate Chamber,

Austin, Texas,

Saturday, March 12, 1927.

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hall.